

Title	Criteria for Judicial Assignments (amend rule 6.603 of the California Rules of Court).
Summary	The proposed amendment to provisions of rule 6.603 regarding the presiding judge's duty to make judicial assignments provides criteria related to the needs of the public and the court, and a judge's experience and interests, that the presiding judge would be required to take into account in making judicial assignments. The proposed amendment specifies that judicial assignments must not be based solely or primarily on seniority.
Source	Presiding Judges Advisory Committee
Staff	Diane Eisenberg, 415-865-7915
Discussion	<p>This proposal would amend the current rule on the authority and duties of the presiding judge (rule 6.603), and, specifically, the subdivision on the presiding judge's duty to make judicial assignments (subdivision (c)(1)(A)), by adding criteria that the presiding judge must take into account in making judicial assignments. These criteria are intended to meet the needs of presiding judges who have sought more guidance in fulfilling their responsibility to make judicial assignments and who feel that the listing of criteria would be a useful tool for court management. The criteria relate to the needs of the public and the court, the experience and interests of the judges on the court, and the demands of the assignment. The amendment specifies that judicial assignments must not be based solely or primarily on seniority. Basing assignments solely or primarily on seniority can result in the inefficient use of judicial resources, such as in cases where a judge has expertise in a particular area but lacks sufficient seniority to obtain an assignment in that area.</p> <p>The proposal also adds to subdivision (c)(1) of rule 6.603 an express statement that the presiding judge has the ultimate authority to make judicial assignments, and adds to subdivision (c)(1)(A) of 6.603 a specific reference to the presiding judge's duty to designate a presiding judge of the juvenile division. These additions are intended to clarify, rather than alter, a presiding judge's existing authority and duties.</p> <p>The Presiding Judges Advisory Committee, through its Rules Subcommittee and Executive Committee, has approved this proposal.</p> <p>Attachment</p>

Proposal

Rule 6.603 of the California Rules of Court, effective January 1, 2002, would be amended to read:

Rule 6.603. Authority and duties of presiding judge

(a)–(b) * * *

(c) [Duties]

(1) *(Assignments)* The presiding judge has ultimate authority to make judicial assignments. The presiding judge shall must:

(A) [Presiding and supervising judges] Designate a judge to preside in each department, including a master calendar judge when appropriate, and designate a presiding judge of the juvenile division and a supervising judge for each division, district, or branch court; In making judicial assignments, the presiding judge must take into account the following: (i) the needs of the public and the court, as they relate to the efficient and effective management of the court's calendar; (ii) the knowledge and abilities demanded by the assignment; (iii) the judge's judicial and non-judicial experience, including specialized training or education; (iv) the judge's interests; (v) the need for continuity in the assignment; (vi) the need to expose the judge to a variety of assignments; and (vii) other appropriate factors. Judicial assignments must not be based solely or primarily on seniority.

(B)–(E) * * *

(2)–(11) * * *

(d) * * *